



California Public Utilities Commission

505 Van Ness Avenue, San Francisco, CA 94102

News Release

FOR IMMEDIATE RELEASE

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PUC CONSIDERS ADDING ITEM TO APRIL 1 MEETING

SAN FRANCISCO, March 29, 2004 -- The California Public Utilities Commission (PUC) will consider adding the following item to the public session Agenda for April 1, 2004: Petition for Modification of Decision 04-03-039 and Motion to Partially Stay D.04-03-039, both filed by the City of Folsom. (D.04-03-039 was an Order authorizing a general rate increase for water service in Southern California Water Company's Region III Service Area.) In its Petition for Modification, the City of Folsom seeks a prospective approval of its leased water rights agreement with the Southern California Water Company. In its Motion to Partially Stay, the City of Folsom seeks a stay of portions of the Commission's decision dealing with its leased water rights agreement.

This notice is issued pursuant to Government Code Section 11125.3(a)(2), which empowers the Commission to add late items to its public agenda: where "there exists a need to take immediate action and [] the need for immediate action came to the attention of the state body subsequent to the agenda being posted..."

The need for this item to be discussed by the Commission did not become apparent until Wednesday, March 24, 2004, after the agenda was mailed. Action must be taken on the item by April 1, 2004.

The detailed Agenda language for this item follows.

For more information on the PUC, please visit: www.cpuc.ca.gov.

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Item #76, Agenda ID #3405

A02-11-007 - Southern California Water Company (SCWC).

This decision grants the petition to modify D04-03-039. The petition to modify narrowly focuses on the issue of prospective water rights purchased by the City of Folsom in an agreement with the SCWC in 1994. This matter is added to the agenda pursuant to Government Code Section 11125.3 (a)(2). (Comr Kennedy - Comr Peevey) Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Item #76a, Agenda ID #3406

A02-11-007 - Alternate Order to Agenda ID #3405

This decision grants a stay of the first sentence of Ordering Paragraph 7 of D04-03-039 as to the City of Folsom and clarifies that Southern California Water Company (SCWC) may not stop providing water to Folsom or otherwise interfere with Folsom's use of water under its lease with SCWC absent a Commission decision that authorizes SCWC to do so. This item is subject to consideration if approved by the necessary vote under Government Code Section 11125.3(a)(2). This is an alternate to President Peevey's and Commissioner Kennedy's order ID #3405. (Comr Lynch)